

### Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Thus, claim 50 has been amended in response to the rejection of claims 50-51 under the second paragraph of 35 U.S.C. §112. Specifically, this claim has been amended as suggested by the Examiner in item 3 on page 2 of the Office Action; and has also been amended in response to the Examiner's comments and question in item 4, by indicating that the carrier material is in, or at least partly transformed to, the hydrotalcite phase during the metal addition step.

With regard to item 4 of the Office Action, the different crystalline phases during catalyst preparation are clearly identified by the XRD diagrams in the figures of the present application. Figure 1a represents the hydrotalcite phase, whereas Figure 1b is the calcined material with MgO structure. The latter is also referred to as Mg(Al)O as the structure partly contains aluminium atoms. By the aqueous impregnation of the calcined catalyst carrier, i.e. the material in Figure 1, as illustrated in Example 7, the MgO structure is completely or at least partly transformed back to the hydrotalcite structure which is clearly apparent from Figure 2a.

In other examples, like in Example 12, the carrier was not precalcined and consequently was in its entirety in the hydrotalcite form after impregnation.

This means that two options exist:

1. The carrier is a hydrotalcite. This is covered by the wording of amended claim 50 “. . . of which the carrier material is in . . . the hydrotalcite phase during . . .”.
2. The carrier material is a calcined hydrotalcite, i.e. MgO, covered mainly by “. . . of which the carrier material is . . . transformed to, the hydrotalcite . . .”.

In the latter case (2), the addition of the term “at least partly” is relevant because the origin of the material is not hydrotalcite, but MgO, and the broadness of the XRD diagrams cannot exclude that some MgO has not been transformed back to the hydrotalcite.


Accordingly, as indicated above, claim 50 has been amended to indicate that the carrier material is in, or at least partly transformed to, the hydrotalcite phase during the metal addition step.

Claim 51 has been amended to reflect the change to --catalytic metal-- in amended claim 50.

In view of the amendments set forth above, Applicants respectfully submit that the rejection of the claims under 35 U.S.C. §112 has been overcome. Accordingly, the application is now considered to be in condition for allowance, and such allowance is solicited.

Respectfully submitted,

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